

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John Cavalier
Debtor(s)

Bankruptcy Case No.: 17-20852-CMB

Chapter: 13
Docket No.: 52 – 51
Concil. Conf.: August 22, 2019 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **July 29, 2019**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **August 13, 2019**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **August 22, 2019 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: June 14, 2019

cm: All Creditors and Parties In Interest

Carlota M. Bohm
United States Bankruptcy Judge

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 3
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 John Cavalier
 Debtor

Case No. 17-20852-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
 Form ID: 410

Page 1 of 1
 Total Noticed: 10

Date Rcvd: Jun 14, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 16, 2019.

db +John Cavalier, 600 Lewis Avenue, Jeannette, PA 15644-2512
 14376138 +Champion Mortgage Group, 10935 Estate Ln # 100B, Dallas, TX 75238-5148
 14667290 Directv, LLC, by American InfoSource LP as agent, PO Box 5008,
 Carol Stream, IL 60197-5008
 14377712 +First National Bank of Omaha, 1620 Dodge St., Stop Code 3105, Omaha, NE 68197-0002
 14376139 +KML Law Group, Suite 5000 - Mellon Independence Center, Philadelphia, PA 19106-1541
 14672188 +Nationstar Mortgage LLC, c/o Champion Mortgage Company, 8950 Cypress Waters Boulevard,
 Coppell, TX 75019-4620

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14637950 E-mail/PDF: cbp@onemainfinancial.com Jun 15 2019 02:33:53 ONEMAIN, P.O. BOX 3251,
 EVANSVILLE, IN 47731-3251
 14745711 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 15 2019 02:34:00
 Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
 14378201 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 15 2019 02:34:00
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14648067 +E-mail/Text: bankruptcy@firstenergycorp.com Jun 15 2019 02:27:18 West Penn Power,
 5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 4

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Nationstar Mortgage LLC D/B/A Champion Mortgage Co
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14392252* +First National Bank of Omaha, 1620 Dodge Street, Stop Code 3105, Omaha, NE 68197-0002
 TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 16, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 14, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC D/B/A Champion Mortgage Company bkgroup@kmlawgroup.com
 Michael S. Geisler on behalf of Debtor John Cavalier m.s.geisler@att.net, msgeis@yahoo.com;michaelgeisler13@gmail.com;r52973@notify.bestcase.com
 Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
 Rebecca Solarz on behalf of Creditor Nationstar Mortgage LLC D/B/A Champion Mortgage Company bkgroup@kmlawgroup.com
 Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5